

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

CARLOTA QUEVEDO,

Plaintiff,

v.

LANTOWER LUXURY LIVING, LLC,

Defendant.

§
§
§
§
§
§
§
§

1:21-CV-141-RP

ORDER

Before the Court is the report and recommendation of United States Magistrate Judge Susan Hightower concerning Defendant Lantower Luxury Living, LLC's ("Defendant") Motion for Summary Judgment, (Dkt. 26). (R. & R., Dkt. 33). Both parties timely filed objections to the report and recommendation. (Objs., Dkts. 34, 35).

A party may serve and file specific, written objections to a magistrate judge's findings and recommendations within fourteen days after being served with a copy of the report and recommendation and, in doing so, secure *de novo* review by the district court. 28 U.S.C. § 636(b)(1)(C). Because the parties timely objected to the report and recommendation, the Court reviews the report and recommendation *de novo*. Having done so and for the reasons given in the report and recommendation, the Court overrules the parties' objections and adopts the report and recommendation as its own order.

Accordingly, the Court **ORDERS** that the report and recommendation of United States Magistrate Judge Susan Hightower, (Dkt. 33), is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant's Motion for Summary Judgment, (Dkt. 26), is **GRANTED IN PART** and **DENIED IN PART**. The motion is **GRANTED** as to Plaintiff's (1) gender discrimination claim under Title VII, (2) race and national origin discrimination

claims under Title VII and 42 U.S.C. § 1981, and (3) retaliation claims under Title VII and 42 U.S.C. § 1981 and **DENIED** as to Plaintiff's Title VII hostile work environment claim, which will be the sole remaining claim.

IT IS FURTHER ORDERED that Plaintiff's (1) gender discrimination claim under Title VII, (2) race and national origin discrimination claims under Title VII and 42 U.S.C. § 1981, and (3) retaliation claims under Title VII and 42 U.S.C. § 1981 are **DISMISSED WITHOUT PREJUDICE**.

SIGNED on May 16, 2023.

A handwritten signature in blue ink, appearing to read "Robert Pitman", written over a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE